

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

### for AUGUST 30, 2006 PLANNING COMMISSION MEETING

**PROJECT #:** Annexation #06012

**PROPOSAL:** Application by the Director of Planning to annex 340.45 acres, more or less.

**LOCATION:** Southeast of S. 14<sup>th</sup> St. and Saltillo Rd. and northwest of S. 27<sup>th</sup> St. and Saltillo Rd.

**LAND AREA:** 340.45 acres, more or less

**CONCLUSION:** This application is associated with Change of Zone #06042 & #06043 from AG to I-1. Although the area cannot be served with city water, there is sufficient ground water in the area. An annexation agreement with the properties being rezoned will be required. The City's annexation policy states with voluntary annexation agreements the City may limit the timing or installation of utility services.

<b>RECOMMENDATION:</b>	Approval
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#### GENERAL INFORMATION:

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** Ag, Agricultural and P, Public

#### **SURROUNDING LAND USE AND ZONING:**

Area of application south of Saltillo Rd.

North:	I-1, Industrial	Bulk fuel tanks and concrete plant north of Saltillo Rd. and undeveloped
South:	AG, Agricultural	Undeveloped/agriculture
East:	AG, Agricultural	Undeveloped/agriculture
	B-1, Business	Formerly "The Acreage," now vacant.
West:	I-1, Industrial	Bulk fuel tanks south of Saltillo Rd.

Area of application north of Saltillo Rd.

North:	P-Public	Wilderness Park
South:	B-1, Business	Formerly "The Acreage," now vacant.
	AG, Agricultural	Undeveloped/agriculture
East:	AG, Agricultural	Undeveloped/agriculture
	R-3, Residential	Single family residential
West:	AG, Agricultural	Undeveloped/agriculture
	I-1, Industrial	Bulk fuel tanks south of Saltillo Rd.

**EXISTING LAND USE:** Wilderness Park and undeveloped.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

The Land Use Map of the 2025 Comprehensive Plan identifies the proposed annexation area as Agricultural and is outside the future service limits. (F-23)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use is often gradual. (F-27)

Future Service Limit: The land use plan also displays the future service limit for the City of Lincoln. Land inside this line represents the anticipated area to be provided with urban services within the planning period. (F-28)

The provision of municipal services shall coincide with the jurisdictional boundaries of the City—in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City. (F-154)

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexations shall occur before any property is provided with water, sanitary sewer, or other potential City services. (F-154)

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g. water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. (F-154,155)

**HISTORY:**

July, 1980	County Change of Zone #54 from AG-Agriculture to B-Business District located southeast of the intersection of the Union Pacific Railroad and Saltillo Rd. was approved by the Lancaster County Board of Commissioners
January 1974	County Change of Zone #37 from AA-Rural and Public Use to I-Industrial located south of the intersection of S. 14 <sup>th</sup> St. and Saltillo Rd. was approved by the Lancaster County Board of Commissioners.

**ASSOCIATED REQUEST:** Change of Zone #06042 and 06043

**UTILITIES & SERVICES:**

A. **Sanitary Sewer:** City Sanitary sewer is not available to serve this area

- B.     **Water:**           City water mains are not available to serve this area. Any new uses would have to use wells. A water report conducted by Olsson Associates concluded that there is adequate ground water to serve the proposed annexation area and the water used for this area would not substantially affect availability to existing users. A copy of the report is available at the Planning Department.
  
- C.     **Roads:**           Saltillo Rd. is a two-lane asphalt county road. Saltillo Rd. from US-77 to 27<sup>th</sup> St. is identified as 2 lanes + turn lanes in proposed projects of the 2025 Comprehensive Plan. The proposed right-of-way is identified at 120 feet.
  
- D.     **Parks and Trails:** A portion of Wilderness Park is located within the proposed area of annexation. The Park area is maintained by the City's Parks Department and patrolled by the Police Department today.
  
- E.     **Fire Protection:** There is no city water within the proposed annexation area. The city fire department does not have the capabilities of transporting large amounts of water if needed for a fire. The fire department would have to rely on the nearest Mutual Aid Volunteer department.

**ANALYSIS:**

- 1.     This is a request to annex approximately 340.45 acres which includes Wilderness Park between Rokeby Rd. and Saltillo Rd. It also includes an area southeast of the intersection of S. 14<sup>th</sup> St. and Saltillo Rd.
  
- 2.     The proposed annexation area is contiguous to the City limits at Rokeby Rd. The area of annexation south of Saltillo Rd. is adjacent to I-1 zoning and B-1 zoning. The proposed annexation area north of Saltillo Rd. is adjacent to I-1 and P zoning.
  
- 3.     This application is associated with Change of Zone #06042 & #06043, which encompasses the area south of Saltillo Rd. A condition for approval of the change of zone is annexation of the area. In order to annex the area being rezoned, Wilderness Park from Rokeby Rd. to Saltillo Rd. must be annexed as well.
  
- 4.     This area is outside the future service limits and shown as agricultural in the land use plan. The Comprehensive Plan states that the future service limit line is an anticipated line, not an exact line. The Comprehensive Plan also states that the future land use plan displays generalized locations and is not intended to be used to determine exact boundaries of each land use designation.
  
- 5.     This area cannot be served with City water or sanitary sewer. Any future uses would need a water well and septic or lagoon. A water report conducted by Olsson Associates concluded that there is sufficient groundwater in the area. Generally city services are available when an area is annexed. However, voluntary annexations may limit the availability of services.

6. The City will enter into an annexation agreement with private property owners within the proposed annexation area. The owners shall acknowledge that some city services will not be provided at this time and that additional right-of-way along Saltillo Rd. will be required and may be required along S. 25<sup>th</sup> St. This annexation will permit the City to collect the increase in property, sales and wheel taxes and impact fees. The annexation will also allow for the possible establishment of a TIF or special assessment district to accelerate extension of utilities.
7. Annexation policy:
  - ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
  - ! Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (i.e., water, sanitary sewer) and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.
  - ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."

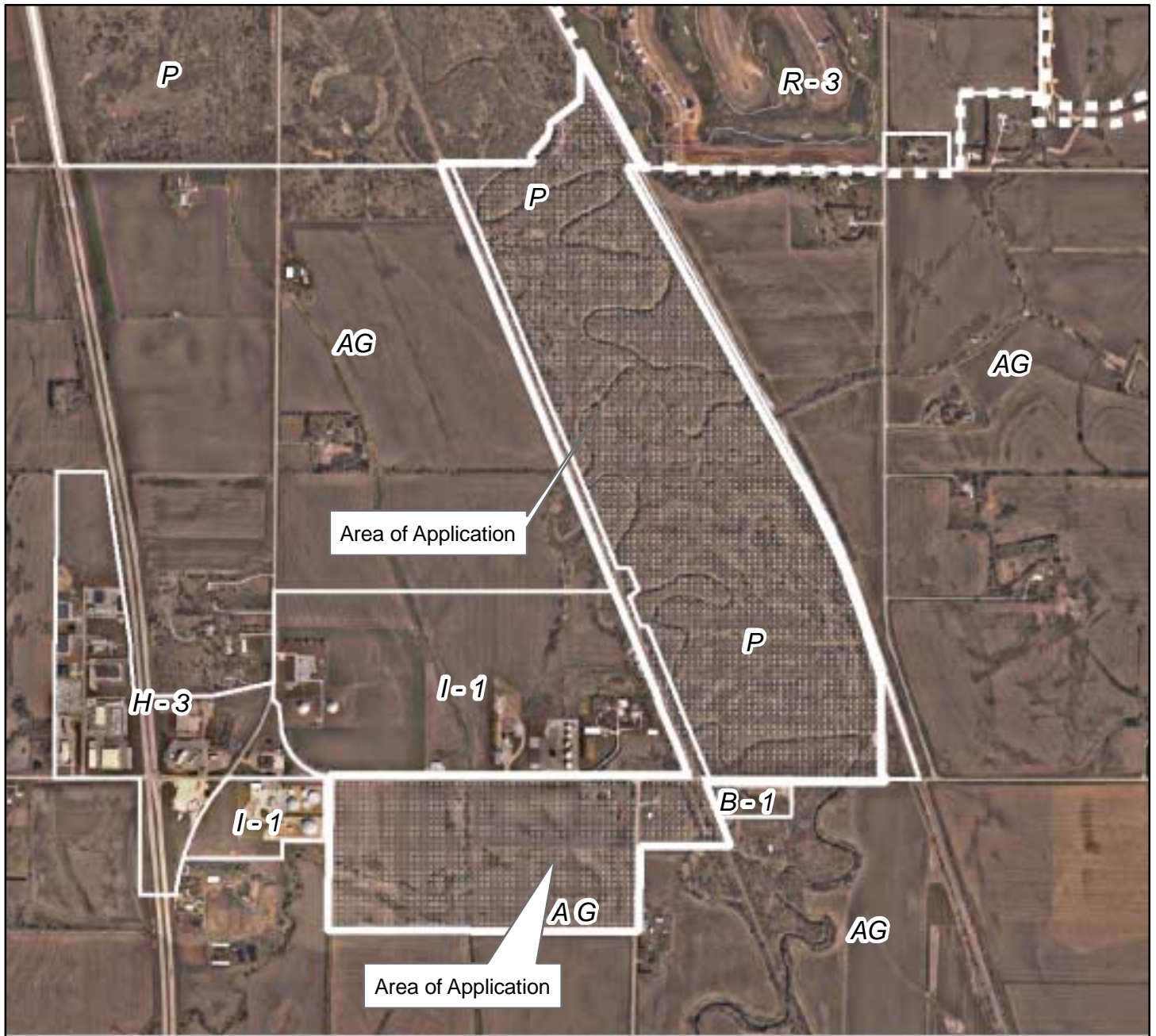
Prepared by:

Tom Cajka  
Planner

**DATE:** August 17, 2006

**APPLICANT:** Marvin S. Krout  
Director of Planning  
Lincoln-Lancaster County Planning Department  
555 S. 10th Street  
Lincoln, NE 68508  
(402) 441-7491

**CONTACT:** Tom Cajka  
Planner  
Lincoln-Lancaster County Planning Department  
(402) 441-5662

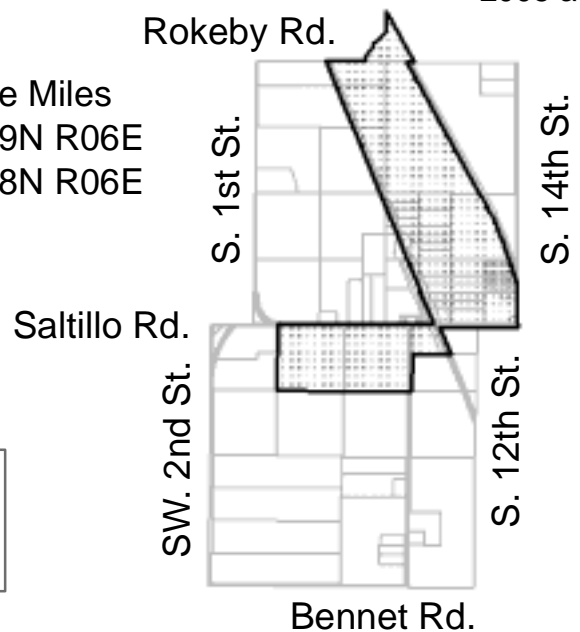
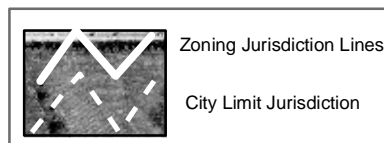


2005 aerial

## Annexation #06012 S. 14th St. and Saltillo Rd. Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

Two Square Miles  
Sec. 36 T09N R06E  
Sec. 01 T08N R06E



ANNEXATION #06012

Lots 42, 43 and 44 I.T.'s and the NW 1/4 NE1/4 and the vacated Union Pacific Railroad ROW lying east of Lot 44 IT and all of S. 25<sup>th</sup> St. (County Rd. No. 682) abutting thereto all in Section 01-T8N-R6E.

Saltillo Road from the west line of said Lot 43 I.T. to the east line of Section 36-T9N-R6E.


Lots 57 and 62 I.T.'s and County Road No. 621 (Rokeby Rd.) abutting thereto; That portion of Lots 1-5, 15-19, and 34 all IT's and the SE 1/4 NW 1/4 lying east of the vacated Union Pacific RR ROW. The vacated Union Pacific Railroad right-of-way from the south ROW line of Saltillo Road to the north ROW line of Rokeby Road, The following Irregular Tracts; Lot 9-14, 21-26, 28, 32, 33, 35, 43, 44, 45, 80 and the NE 1/4 SE 1/4 lying west of the Burlington Northern Santa FE railroad, all located in Section 36-T9N-R6E.

 OK

Lots 6 and 7 I.T.'s and that part of the ~~BNSF~~ Railroad abutting said Lot 7 I.T. all in Section 25-T9N-R6E.

# Memorandum

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**To:** Tom ~~Calka~~ Planning Department  
**From:**  Dennis Bartels, Engineering Services  
**Subject:** Annexation #06012 - South 14th and Saltillo Road  
**Date:** August 17, 2006  
**cc:** Randy Hoskins  
Roger Figard

Engineering Services has reviewed the proposed annexation along the south side of Saltillo Road generally located between South 14th and South 25th Street and has the following comments:

1. This area is designated Tier 2 in the comprehensive plan. It is not presently served or proposed to be served with City water and wastewater within the Tier 1 time frame. If the area is to be annexed or annexation agreement needs to be in place, that acknowledges that this area cannot be served in the Tier 1 time frame and that the affected property owners will no demand their typical right to be served if they are annexed.
2. Saltillo Road is a rural paved road shown as a future urban arterial street. South 25th Street through the area of the proposed annexation is also a potential urban arterial. The annexation agreement should require the dedication of typical arterial right-of-way from owners subject to the agreement.
3. The change of zone to industrial of the properties being considered for annexation will increase traffic and turning movements along Saltillo and 25th Street. The agreement needs to address improvements to these streets to provide right and left turn lanes at driveways/streets in the area of annexation. The developers should be required to construct and pay for the required improvements.
4. As noted previously, Saltillo and 25th Street are future urban arterials. Access points need to be designed per arterial street requirements in regard to number and location. Access points need to accommodate future urban arterial design and platting of lots and local streets.
5. Subject to a zoning and annexation agreement, Engineering Services recommends approval of a "conditional annexation."

**Richard J Furasek/Notes**  
**07/26/2006 02:32 PM**

**To Ray F Hill/Notes@Notes**  
**cc**  
**bcc**  
**Subject 14th and Saltillo Road**

**As per our discussion, the main issue of concern is the lack of city water and fire hydrants in the area for our use in case the need would arise. We do not have capabilities of transporting large amounts of water if needed for a fire. We would have to rely on the nearest Mutual Aid Volunteer departments to bring us large amounts of water if needed.**

**Richard J. Furasek**  
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